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7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2013-791

11 **SURAJAN PANDAY**
12 **6458 Hart Lane**
13 **Austin, TX 78731**

A C C U S A T I O N

14 **Registered Nurse License No. 674415**

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
19 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
20 Department of Consumer Affairs.

21 2. On or about February 24, 2006, the Board issued Registered Nurse License Number
22 674415 to Surajan Panday (Respondent). The Registered Nurse License expired on February 29,
23 2008, and has not been renewed.

24 **JURISDICTION**

25 3. This Accusation is brought before the Board under the authority of the following
26 laws. All section references are to the Business and Professions Code (Code) unless otherwise
27 indicated.

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1 4. Code section 2750 provides, in pertinent part, that the Board may discipline any
2 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
3 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
5 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
6 to render a decision imposing discipline on the license. Code section 2811, subdivision (b),
7 allows the Board to renew an expired license within eight years of expiration.

8 STATUTORY PROVISIONS

9 6. Code section 2761 states:

10 "The board may take disciplinary action against a certified or licensed nurse or deny an
11 application for a certificate or license for any of the following:

12 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

13 "..."

14 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
15 against a health care professional license or certificate by another state or territory of the United
16 States, by any other government agency, or by another California health care professional
17 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
18 action.

19 ..."

20 COST RECOVERY

21 7. Code section 125.3 provides, in pertinent part, that the Board may request the
22 administrative law judge to direct a licentiate found to have committed a violation or violations of
23 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
24 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
25 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
26 included in a stipulated settlement.

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1 CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct-Out of State Discipline)

3 8. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4), in that on or about June 8, 2010, in a disciplinary action before the Texas Board of
5 Nursing, in the matter of Registered Nurse License Number 722303, Respondent was sanctioned
6 with a warning with stipulations. The disciplinary action was based on Respondent's actions on
7 or about January 25, 2008 when Respondent posted an online blog stating that he was on the
8 verge of murdering three of his five patients, that he overmedicated patients, and that he was
9 emotionally and verbally abusive towards his patients.

10 PRAYER

11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
12 and that following the hearing, the Board of Registered Nursing issue a decision:

- 13 1. Revoking or suspending Registered Nurse License Number 674415, issued to Surajan
14 Panday;
- 15 2. Ordering Surajan Panday to pay the Board of Registered Nursing the reasonable costs
16 of the investigation and enforcement of this case, pursuant to Business and Professions Code
17 section 125.3;
- 18 3. Taking such other and further action as deemed necessary and proper.

19
20 DATED: MARCH 18, 2013

21 *for* Stacie Ben
22 LOUISE R. BAILEY, M.ED., RN
23 Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California
27 Complainant
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